

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

TINA LINDQUIST,

Plaintiff,

vs.

HEIM, L.P.,

Defendant.

Civil Action No: 04-249E

JUDGE SEAN J. MCLAUGHLIN /  
MAGISTRATE JUDGE SUSAN  
PARADISE BAXTER

PAUL R. ROBINSON, ESQUIRE  
PA I.D. No. 65581

**CERTIFICATE OF DISCOVERY DISPUTE**

The undersigned counsel for defendant Heim, L.P. hereby certifies that he has conferred and consulted with plaintiff's counsel, Dallas W. Hartman, Esquire, with respect to each matter set forth in this motion to compel expert discovery. The defendant has made reasonable efforts to reach agreement with the plaintiff for obtaining the requested expert discovery, as detailed in letters dated February 21, 2006, February 24, 2006, and March 3, 2006, collectively attached to the foregoing motion to compel as Exhibit "B".

Counsel for plaintiff, without providing any grounds for objection, refused to provide the expert discovery materials requested by defendant. Counsel further refused to schedule a date for the expert witness depositions, vaguely objecting to said depositions commencing prior to his being provided dates on which to depose defendant's experts. Said refusals by plaintiff are set forth in correspondence dated March 7, 2006, attached to the foregoing motion as Exhibit "C".

For these reasons, and as more fully set forth in the foregoing motion to compel expert discovery, the defendant respectfully certifies this discovery dispute for disposition by this Honorable Court, and seeks the relief requested in the foregoing motion.

Respectfully submitted,

MEYER, DARRAGH, BUCKLER,  
BEBENEK & ECK, P.L.L.C.

By: /s/ Angela C. Nolfi, Esquire  
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